

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA

EVELYN BAUTISTA AVILES,

Plaintiff,

v.

COSTCO WHOLESALE CORPORATION,

Defendant.

Case No. 25-cv-04467-NC

**ORDER TO SHOW CAUSE  
WHY NOTICE OF REMOVAL  
IS TIMELY**

Re: ECF 3

This Court orders Defendant Costco Wholesale Corporation (Costco) to show cause why its notice of removal is timely.

When a party seeks to remove to federal court, notice of removal must be filed “within 30 days after the receipt by the defendant, through service or otherwise, of a copy of the initial pleading setting forth the claim for relief upon which such action or proceeding is based, or within 30 days after the service of summons upon the defendant if such initial pleading has then been filed in court and is not required to be served on the defendant, whichever period is shorter.” 28 U.S.C.A. § 1446(b). If notice of removal is not filed within this thirty-day window, it is untimely.

Here, Costco was served on April 16, 2025. ECF 3 ¶ 2. Costco filed its notice of removal on May 28, 2025, more than thirty days after it was served. *Id.* at 3. Nevertheless, Costco asserts its notice of removal is timely under 28 U.S.C.A. § 1446(b). *Id.* ¶ 14. Costco does not provide any facts or arguments to support this contention.

1 Accordingly, Costco must show cause in writing by June 16, 2025, why its notice of  
2 removal is timely.

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4  
5 **IT IS SO ORDERED.**

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7 Dated: June 2, 2025

  
NATHANAEL M. COUSINS  
United States Magistrate Judge

United States District Court  
Northern District of California